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12 **Attorneys for Defendant**
13 **DSS Technology Management, Inc.**

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17
18

19 **INTEL CORPORATION ET AL.,**

20 Plaintiffs,

21 v.

22 **FORTRESS INVESTMENT GROUP LLC,**
23 **ET AL.,**

24 Defendants.
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Case No.: 3:19-cv-07651-EMC

**DECLARATION OF NATHANIEL H.
LIPANOVICH IN SUPPORT OF
JOINT STIPULATION AND
[PROPOSED] ORDER TO EXTEND
DEADLINE FOR DEFENDANT DSS
TECHNOLOGY MANAGEMENT,
INC. TO SEEK FEES AND COSTS**

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1 I, Nathaniel H. Lipanovich, declare as follows:

2 1. I am an attorney licensed to practice law in all courts in the State of California and
3 am admitted to practice before the United States District Court, Northern District of California. I
4 am an associate in the law firm of Thoits Law, PC, and one of the attorneys responsible for the
5 representation of Defendant DSS Technology Management, Inc. ("DSS") in this matter. I make
6 this declaration of my own personal knowledge, unless the context indicates otherwise, and, if
7 called as a witness, I could and would testify competently to the facts stated herein.

8 2. The Court entered Judgment in this case on September 28, 2021. ECF No. 286.

9 3. DSS has indicated it will seek attorneys' fees and costs, including pursuant to a prior
10 settlement agreement between DSS and Intel Corporation ("Intel").

11 4. The Court previously extended DSS's deadline to file a motion or application for
12 attorneys' fees and costs to October 26, 2021 to allow the DSS and Intel time to meet and confer
13 pursuant to Local Rule 54-5.

14 5. DSS and Intel have reached an agreement in principle to resolve DSS's request for
15 fees without the need for a fee motion.

16 6. DSS and Intel seek a further extension of DSS's deadline to file a motion or
17 application for attorneys' fees and costs to give the parties time to effectuate their agreement without
18 the need for a fee motion.

19 7. This deadline was previously modified by the Court to extend it from October 12,
20 2021 to October 26, 2021. The proposed extension will not impact any other case deadlines, as the
21 case is closed.

22 8. The Court previously modified other timing requirements in this case related to the
23 motions to dismiss filed by Defendants and the case management conference. These orders are
24 set forth at docket numbers 43, 75, 86, 124, 161, 196, 199, 232, 240, 250, and 262.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct, and that this Declaration was executed on the 26th day of October,
3 2021, at Santa Rosa, California.

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5 By: /s/ Nathaniel Lipanovich

6 **Nathaniel H. Lipanovich**
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